IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1231 OF 2004
IN
SUIT NO.1147 OF 2004

Umesh Agarwal ....Plaintiff
V/s.
Surendrasingh Bhatti ....Defendant

Mr.Jayesh Bhatt for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 5TH DECEMBER, 2006.

P.C. :

1. The suit is filed for specific performance of the agreement dated 18.3.1989 as modified by an agreement dated 25.7.2002.

2. Prima-facie it appears that the agreement is valid, subsisting and binding. There is nothing on record to indicate the contrary. There is no reply to the Plaintiff's advocate notices dated 16.4.2003 and 7.1.2004.

3. In the circumstances, the Notice of Motion is made absolute in terms of prayer (b) except the words bracketed in red.